6657. (F.D.C. No. 46359. S. Nos. 3–223 R, 3–229 R, 45–899 R, 45–902 R, 45–916 R, 45–929 R, 45–931 R.)

INFORMATION FILED: 8–28–61, M. Dist. Ga., against **Walter L. Minix, t/a Minix Prescription Shop, Moultrie, Ga., and C. Guy Blasingame, Sr. (pharmacist).**

CHARGE: Between 2–23–61 and 4–26–61, *penicillin G potassium tablets* (counts 1, 2, 5, and 7) were dispensed 4 times, *Equanil tablets* were dispensed twice (counts 3 and 6), and *Miltown tablets* (count 4) were dispensed once without a prescription.

PLEA: Nolo contendere by Minix to all counts; by Blasingame to counts 2, 3, 4, 5, and 6.

DISPOSITION: 11–20–61. Minix—$300 fine; Blasingame—$100 fine.

6658. (F.D.C. No. 46008. S. Nos. 45–988 R, 45–998 R, 46–016 R, 59–100 R, 59–121 R, 59–136 R, 59–151 R.)

INFORMATION FILED: 8–8–61, M. Dist. N.C., against **Robert E. Scharff, t/a Clemmons Pharmacy, Clemmons, N.C.**

CHARGE: Between 2–24–61 and 4–10–61, *secobarbital sodium tablets* were dispensed 4 times and *Equanil tablets* were dispensed 3 times upon requests for prescription refills without authorization by the prescriber.

PLEA: Guilty.

DISPOSITION: 11–6–61. $600 fine and 3 years probation.

6659. (F.D.C. No. 45244. S. Nos. 6–381/5 R.)

INFORMATION FILED: 4–22–61, Dist. Conn., against **William Rosenthal Drug Co., Inc., t/a Si's Prescription Pharmacy, Hartford, Conn., and William Rosenthal (president and treasurer).**

CHARGE: Between 4–8–60 and 5–11–60, *secobarital sodium capsules* were dispensed 3 times upon request for prescription refills without authorization by the prescriber.

PLEA: Nolo contendere.

DISPOSITION: 12–11–61. Corporation—$300 fine; Rosenthal—60 days imprisonment and 2 years probation.

6660. (F.D.C. No. 45972. S. Nos. 3–282 R, 3–321/6 R.)

INFORMATION FILED: 7–18–61, E. Dist. N.C., against **Steven W. Gowan, t/a Gowan Drug Co., Wallace, N.C.**

CHARGE: Between 4–1–60 and 8–30–60, *meprobamate tablets* were dispensed 3 times and *penicillin tablets* were dispensed twice without a prescription, and *dextro-amphetamine sulfate tablets* were dispensed twice upon requests for refills of prescriptions without authorization by the prescriber.

PLEA: Nolo contendere.

DISPOSITION: 11–27–61. $500 fine and probation for 2 years.

U.S. Department of Health, Education, and Welfare

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

6661–6700

DRUGS AND DEVICES

The cases reported herewith were instituted in the United States district courts by United States attorneys, acting upon reports submitted by the Department of Health, Education, and Welfare. They involve drugs and devices which were adulterated or misbranded within the meaning of the Act when introduced into and while in interstate commerce or while held for sale after shipment in interstate commerce. These cases involve seizure proceedings in which decrees of condemnation were entered after default, or consent. The seizure proceedings are civil actions taken against the *goods* alleged to be in violation.

Published by direction of the Secretary of Health, Education, and Welfare.

GEO. P. LARRICK, *Commissioner of Food and Drugs.*

WASHINGTON, D.C., *August 13, 1962.*

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*For omission of, or unsatisfactory, ingredients statements, see Nos. 6691, 6694; an imitation of, and sale under name of, another drug, Nos. 6670–6672, 6681; failure to bear a label containing the name and place of business of the manufacturer, packer, or distributor, No. 6668; cosmetics, actionable under the drug provisions of the Act, Nos. 6691, 6692.

646930—62——1

SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN VIOLATIONS REPORTED IN D.D.N.J. NOS. 6661–6700

Adulteration, Section 501(c), the article was not subject to the provisions of Section 501(b), and its strength differed from or its quality fell below, that which it purported to possess; Section 501(d)(2), the article was a drug, and a substance had been substituted wholly or in part therefor.

Misbranding, Section 502(a), the labeling of the article was false and misleading; Section 502(b)(1), the article was in package form, and it failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; Section 502(e)(2), the article was a drug not designated solely by a name recognized in an official compendium, and its label failed to bear, in the case where the article was fabricated from two or more ingredients, the common or usual name of each active ingredient; Section 502(f), the labeling of the article failed to bear (1) adequate directions for use, and (2) adequate warnings against use in those pathological conditions or by children where its use may be dangerous to health, or against unsafe dosage or methods or duration of administration or application, in such manner and form, as are necessary for the protection of users; Section 502(g), the article purported to be a drug, the name of which is recognized in an official compendium (United States Pharmacopeia), and it was not labeled as prescribed therein; Section 502 (i)(2), the article was an imitation of another drug; Section 502(i)(3), the article was offered for sale under the name of another drug; Section 502(j), the article was dangerous to health when used in the dosage, or with the frequency of duration prescribed, recommended, or suggested in the labeling thereof; and Section 502(l), the article was composed wholly or in part of a kind of penicillin, and was not from a batch with respect to which a certificate or release had been issued pursuant to Section 507.

DEVICE ACTIONABLE BECAUSE OF POTENTIAL DANGER WHEN USED ACCORDING TO DIRECTIONS

6661. Hypodermic syringes. (F.D.C. No. 45536. S. No. 3–211 R.)

QUANTITY: 7 ctnd. syringes at Atlanta, Ga.

SHIPPED: 1–9–61, from Long Island City, N.Y., by Propper Mfg. Co., Inc.

LABEL IN PART: (Syringe) "2 cc. * * * 40 Units * * * 80 Units * * * Propper Trophy" and (ctn.) "One 2 cc. Propper TROPHY Hypodermic Syringe Short Insulin 40/80 Propper Mfg. Co., Inc."

ACCOMPANYING LABELING: (Insert leaflet) "Certificate of Accuracy Propper Trophy Hypodermic Syringes. This syringe is made in Japan to conform to standards of accuracy described in Federal Specifications. * * * Propper Mfg. Co., Inc."

RESULTS OF INVESTIGATION: Examination showed the article to be a conventional insulin-type glass hypodermic syringe of 2 cc. size, with graduations marked on one side with a scale reading up to a maximum of 40 units, and marked on the opposite side with a scale reading up to a maximum of 80 units. The syringe was not marked to show that the first scale was to be used for administering insulin from a solution having a potency of 20 units per cubic centimeter, and that the other scale was to be used for administering insulin from a solution having a potency of 40 units per cubic centimeter.

LIBELED: 3–28–61, N. Dist. Ga.